



**APPROVED MINUTES OF THE  
NEVADA PUBLIC AGENCY INSURANCE POOL AND  
PUBLIC AGENCY COMPENSATION TRUST  
HUMAN RESOURCES  
OVERSIGHT COMMITTEE MEETING  
Date: September 11, 2020 Time: 10:00 a.m.  
Place: Virtual Meeting via Zoom**

**1. Oversight Committee Roll Call**

Members participating via Zoom: Chairman Curtis Calder; Austin Osborne; Scott Baker; Geof Stark; Dee Carey; Cindy Hixenbaugh; Dawn Huckaby; Jose Delfin; Abel del Real-Nava. Member(s) not participating: Robert Quick; Danelle Shamrell. Pooling Resources, Inc. (PRI) Staff participating via Zoom: Stacy Norbeck; Dora Moya. Risk Management Staff participating via Zoom: Wayne Carlson; Marshall Smith.

**2. Item: Public comment**

Chairman Curtis Calder opened public comment and hearing none, closed the public comment period.

**3. For Possible Action: Approval of Minutes of Meeting June 5, 2020**

Stacy Norbeck mentioned there was a numbering error on the minutes that will be corrected.

On motion and second to approve the Minutes of June 5, 2020 with numbering revisions, the motion carried.

**4. For Possible Action: Report on Current Activities**

**a/b. 19/20 Strategic Plan to date and 19/20 Value of Services**

Stacy Norbeck reviewed the 19/20 Value of Services report recently created for the Joint Executive Committee meeting. This report includes the services listed on the FY 19/20 Strategic Plan and comparable values. Comparable values are listed on the third page of the report.

**Training Development:** Three new online courses and one new facilitator-led course were created; six facilitator-led classes were revised; eight classes were revised to be conducted virtually via Zoom. Three new HR Briefings were created and 21 existing HR Briefings were updated. Four new HR Briefing videos were developed. Based on the comp rate of \$125 an hour, the total value of services was estimated to be \$137,000 plus.

**Training Delivery:** 116 different training sessions were presented with over 2,000 participants, including:

- Ten regional trainings:
  - Six *EMS* programs (Pahrump, Hawthorne, Carson City, Elko, and Ely)
    - Two sessions of the March Carson City training were postponed due to COVID
    - Elko program was postponed.
  - One session of *Advanced EMS* in the fall
    - Spring session was canceled due to COVID

- One *HRR Certificate Program*
- One *So, You Want to be a Supervisor*, via Zoom,
- One *Influential Leadership*, via Zoom.

Note: *Advanced HRR* was postponed due to COVID; rescheduled for November

- Eight F.R.I.S.K. with 117 participants.
- 12 HR Briefings with 395 participants.
- Three regional trainings: Negotiations, Overtime and Legislation with Charlie Cockerill and one of his staff members facilitated; two live and one was a webinar.
- Four EAP Webinars.
- Two HR Webinars: FFCRA by Becky Bruch, and Negotiations (mentioned previously).

In addition, 11,397 participants completed ten HR eLearning courses, many since April; and 71 participants attended the annual HR Conference.

Based on the comp rate of \$300 full day courses, \$150 for half-day and \$25 for eLearning, the total value of services was estimated to be \$679,000.

**Alerts:** 12 Alerts were created (listed on FY 19/20 Strategic Plan) with a total estimated value of \$10,000.

**Salary Schedule:** 47 members updated with a total estimated value of \$1,250.

**Policies:** All sample personnel policy manuals were updated and three new policies were created (Emergency Family and Medical Leave Policy; Emergency Paid Sick Leave Policy; Catastrophic Leave Policy) with a total estimated value of \$36,000.

**Phase I Assessments:** 21 in process, 3 completed last FY, with a total estimated value of \$38,500.

**Phase II Assessments:** 7 in process, 1 conducted last FY, with a total estimated value of \$6,750.

**Coaching and Problem Solving:** Each Business Partner averaged 10 hours per week consulting, with a total estimated value of \$425,000.

**Other services:** EAP request for proposals (RFP) and Service Plans; with a total estimated value of \$34,000.

Stacy stated the Total Value of Services for FY 19/20 was estimated at \$1,368,675.

She requested the committee's input and approval to apply this method to FY 18/19 (to reflect the impact of a legislative year) and FY 20/21. Dee stated it was good and concise, Curtis agreed.

Curtis Calder asked what the annual budget is for the whole organization. Stacy stated that the budget for 19/20 was \$1,248,000.

### c. **Member Contact Tracking December 2019- June 2020**

Last December POOL/PACT HR reimplemented member contact tracking to help with determining member's needs and member specific trainings. The tracking contact numbers were reviewed. Stacy pointed out that 12% of total Business Partner's contacts were regarding the Families First Coronavirus Response Act (FFCRA); and was 18% for April, May, and June (one out of five contacts) and, 36% of contacts in April. Stacy also stated this year so far FFCRA is 19% of contacts for an average of 40 contacts per month.

#### **d. 20/21 Strategic Plan to date**

**New Trainings** – Three new courses will be developed this year: Two e-Learning *EMS* modules (not yet started), and a new *Ethics* facilitator-led course (25% completed).

**Revisions** – Seven courses have been revised, all of which are Zoom trainings: *Customer Service in the Public Sector*; *EMS - Sessions 1,2,3, and 4*; and *AHRR-Days 1 and 2*.

**Regional Trainings** – Ten regional trainings are scheduled this year. All fall sessions are being conducted via Zoom; Spring sessions are currently scheduled to be in person; decisions will be made as dates get closer.

**Regional Training Workshops Utilizing Outside Resources** – A Title IX policy webinar for schools was presented by Ann Alexander in August.

**2020 Leadership Conference** – The 2020 Conference will be virtual this year on the original dates, October 21-22, 2020, from 8:30 to 12:00.

**New HR Briefings** – Four new HR Briefings have been developed this FY. Three are complete: Drug and Alcohol Clearinghouse, and two Kepro EAP (one for employees and one for supervisors). One remains to be finalized: Catastrophic Leave program.

**Reviewed and Updated Briefings** – 27 Briefings to be updated this year: one has been completed and one is in process.

**HR Briefing Videos** – New HR Briefing Videos have not yet been identified.

**Webinars** – Four sessions of EAP were presented and a POOL/PACT 101 for Board Members session is planned to be held in January.

**Legislative Tracking and Summary Report for the 32<sup>nd</sup> 2020 Special Session** – Four bills were tracked and a summary report was released.

**Post Member Pay Plan/Scale on Website** – These are added as received.

**Sample Personnel Policy Annual Update** – Updates will be completed by the end of the FY 20/21. Currently on third year of three-year plan. Sections 7 through 12 will be reviewed, which include benefits, travel, expenses, employee separation, performance management, disciplinary actions, and dispute resolution.

**Coaching and Problem Solving** – This is an ongoing process.

**Alerts** – Three alerts were issued to date. Stacy mentioned there will be another one shortly as the Department of Labor (DOL) is releasing new FFCRA regulations due to a NY District court case which ruled on the work availability requirement; the definition of health care providers; intermittent leave use; and timing of required documentation. Jose asked when the new regulations were expected; Stacy stated it is unknown; the Society for Human Resource Management (SHRM) reported the DOL submitted the new regulations to the White House on the September 3, 2020.

**Trainings** – As of September 4, 2020, 9 trainings were conducted with 156 participants, with a 4.85 course content average; 5.0 instructor evaluation average. No F.R.I.S.K. classes conducted to date (a number of members are interested); and no HR Briefings conducted to date.

**Phase I HR Compliance Assessment Program** – 15 rollovers left from previous years; Walker River Irrigation turned in their last document this morning and will be marked as complete as of today; 8 are interested this year, 2 of which are reassessments and 3 are scheduled in October.

**Phase II HR Compliance Assessment Program** – 7 rollovers from previous years (Nye County, Town of Pahump, and Humboldt County are almost complete); 4 members interested this year (Eureka County, Lander County, Lyon County School District, and Walker Basin).

**Bi-Annual Survey** – The survey will be sent to key contacts after the conference. Stacy stated she would like to add the bi-annual survey to the Strategic Plan with the committee’s approval.

Curtis asked for a motion to add the bi-annual survey to the FY 20/21 Strategic Plan. On motion and second to approve adding the bi-annual survey to the FY 20/21 Strategic Plan.

Motion carried.

#### **e. Report of Employment-Related Claims**

Stacy stated there were 41 total claims last year, 26 of which are open. 20 were EEO (discrimination/harassment/retaliation), 7 administrative matters, 1 alleging due process violation in connection with employment, 1 disparate treatment, 1 retaliation for efforts to unionize, 1 whistleblower, 2 regarding elected officials, 1 possession of child pornography, and 7 others. Of the 41, 22 claims are from counties, 3 are from cities, 5 are from schools, and 9 are from special districts.

For this year so far, there are 5 total open claims: 4 are EEO. Of the 4 EEOs (2 are ADA, 1 sexual harassment, and 1 religious discrimination regarding wearing a facemask), and 1 wrongful termination. Of the 5, 2 are from counties, 2 are from schools, and 1 is from a special district.

Curtis asked in order to qualify as a claim, is it just simply an administrative claim to the agency that gets reported to the pool or is it an actual lawsuit that gets filed. Curtis stated sometimes people file a complaint at the agency level that gets resolved before it ever gets to a lawsuit and he asked if those were reflected in the numbers.

Stacy stated she thinks that is the case, but if counsel is assigned, it would be reported as a claim. She asked Wayne and Marshall if they had an answer to Curtis’ question. Marshall said he believes that is correct. Wayne responded in a chat message stating incidents and claims both are counted; claims and lawsuits claiming damages are both covered. Wayne further stated he is not aware of COVID 19 return-to-work claims so far, however, there are over 300 public safety and hospital workers’ compensation incidents.

Austin Osbourne asked if there are any claims that relate to employees that are being required to come back to work who say they should stay home because of COVID.

Stacy responded she was not aware of any. She said that would be a difficult claim, the only one received this year that is related to COVID is the religious discrimination for a face mask.

### **5. For Possible Action: General Manager Report**

**Staffing Update:** Stacy stated that Adam Duffenbach gave his two-week notice on August 7, 2020, because his wife received a promotion job offer in Spokane, Washington which required them to move. Stacy stated she decided not to fill that position right away due to travel being down and it is a bad time to hire. She

stated she is going to reevaluate this as time goes on to ensure existing staff is not overloaded with one less Business Partner.

**Teleworking:** Stacy reported staff is continuing to telework 60% of the time. Everyone is in the office two days a week, and there is not more than four people in the office at one time (typically three people). Employees are required to wear a mask when they are around others or in common areas. If they are in their office by themselves, they can be mask-free but if they have somebody come in their office and are less than six feet apart, they have to wear their mask.

**Travel:** Required travel is allowable again; however, Zoom trainings and Zoom meetings are preferred whenever possible to keep staff and members' staff safe.

**Membership:** 19% of contacts this FY has been FFCRA/COVID related, an average of 40 contacts per month. The FFCRA Q&A has been updated three more times and will be updated again with the new FFCRA regs and the updated EEOC guidance.

Eureka County did not hire the contract company; instead, they hired an HR Director, Heidi Whimple. Heidi is from Grover C. Dils and will start on the 21<sup>st</sup> of this month.

**Newsletter:** The quarterly newsletter in August announced the conference is going virtual, and included articles on Managing Anxiety in the Workplace, Taking Advantage of POOL/PACT HR Virtual interactive trainings, the new *Ethics* class, and a Dear POOL/PACT HR double feature on COVID and FFCRA.

**Onsite Training Agreement:** An Onsite Training Agreement was created for onsite trainings or meetings based on the same concept used for outside agencies using the upstairs training room for their purposes. The Agreement requires the member to agree to certain standards.

Curtis stated it sounds reasonable and did not see any issues with it. Geof agreed.

## 6. For Possible Action: 2020 Special Session Summary of Approved HR-Legislation

Stacy reviewed the four HR-related bills and advised the summary is available on the website.

**AB 3:** Allows people who are not being arrested or in custody to record law enforcement activities; prohibits choke holds or otherwise compressing an airway; and requires law enforcement to monitor any person for signs of stress, to intervene and report if they see another officer using unjustifiable force. It also requires each agency to adopt a written policy.

**SB 2:** Essentially eliminated the 2019 bill SB 242 regarding peace officer bill of rights.

**SB 3:** Expands the unemployment insurance rights to include people who make less than one and one-half times the amount they would receive on unemployment.

**SB 4:** Revised NRS 41 to provide limited immunity from liability against civil claims due to someone claiming they were exposed to COVID at a workplace; liability will be limited immunity if that employer can show that they complied with the health standards. Both hospitals and school districts are excluded.

Curtis commented to Wayne that he appreciated the email stating the insurance pool reiterating the Governor's directives and some of the special restrictions that are being placed on some counties and not others.

Geof mentioned that their district attorney's office is taking a proactive measure to protect the County by having all departments adopt a policy that outlines the requirements and having each employee sign off as they have some elected officials who are not enforcing some of the physical distancing and masking requirements.

Stacy mentioned that they have internally adopted similar policies and offered to share them. Curtis asked Stacy to email those out to the Board Members.

#### **7. For Possible Action: Employee Assistance Program (EAP) Utilization**

Curtis mentioned this is the first chance they have had to look at the new EAP contractor and he is curious to hear the results.

Stacy mentioned that Kepro will be providing quarterly reports. Veronica Morrow (Kepro's Executive Director, Workplace Services) was able to provide information for the first 60 days. In July and August, there was one EAP Orientation for Managers and four EAP Orientations for Employees, and they helped update the EAP HR Briefings. There were 96 calls for services and 36 EAP cases authorized, and the primary clinical concerns were grief, relationships, depression, stress, and anxiety. They had 465 logins from members on their website; the most frequently viewed pages were "Balancing" which includes mental health and relationships, and "Living" which includes Legal Ready Docs and Legal General. They also provide webinars on their website which five members attended.

Curtis asked Stacy if she had heard any feedback from participating entities regarding the rollout of the information. He asked if it appeared that everybody got the information out to their employees and posted on the bulletin boards and that the old provider material got pulled down. Stacy stated she has not heard yes or no on that but has received requests for brochures. She stated she has not received any feedback about someone calling the old number and getting frustrated.

Curtis stated that is positive because anytime you make a big transition there is always something that is going to slip through the cracks.

#### **8. For Possible Action: Future Open Oversight Committee Seat**

Stacy mentioned a future open OSC seat: Danelle Shamrell from Nye County is retiring on January 7, 2021, and is recommending Elona Goldner to fill her seat. Elona is currently the HR Generalist, but she has not been officially appointed to the HR Director position. Stacy asked if they want to wait until she has been appointed or do they want to consider looking at the HR departments at other large counties.

Curtis suggested waiting and seeing what happens as there are enough people to conduct business for the December meeting. He stated he thinks whomever she recommends, if it is for her replacement, would make a lot of sense.

Dee asked Stacy if the replacement is intending on applying for the position. Stacy stated that is her understanding. Dee stated she always likes promoting within and would not have a problem.

Chief Scott Baker stated he concurs and as someone who came through that process, it has been a great experience.

## **9. For Possible Action: Possible Addition of Payroll Certification to HR Scholarship**

Stacy mentioned a request was received to add a payroll certification to the scholarship program. Eight different programs are currently supported: three HRCI (PHR, SPHR and aPHR), SHRM (CP and SCP), IPMA (CP and SCP), and the CLRP. Thirty-eight scholarships have been provided to date, twenty-four of those have passed, three did not pass, six of those left the employer, and one returned the funds; there are four outstanding right now. Two of them are planning to take their test this month or next month and the other two are currently unknown. The average scholarship is \$1,466. Stacy stated the payroll certification may be a good addition to the program because while Fair Labor Standards Act (FLSA) is a topic covered in POOL/PACT HR trainings, payroll itself is not. The payroll certification requires people to complete a course and then they take and pass the exam. The course is presented by the National Bookkeepers Association (NBA), a certified agency. The self-study class is \$499 and the cost of the exam is \$100 or \$150 depending on membership. There is also an online course from Ashworth College, not a self-study program like what the NBA offers, that costs \$674 with the exam. Stacy also stated POOL/PACT HR has been looking at ways to provide some sort of payroll class for members, and this might be a solution.

Geof mentioned that he is not an expert on payroll and does not know how this certification is accepted nationally. SHRM and HRCI are pretty well known, and he pulled up the American Payroll Association which has their own exam too. He does not know what the difference is between one or the other.

Dee stated she did not know specifically about this, but is happy to see that something like this is out there. She stated she has been trying to get their payroll coordinator her certification as one of her goals. It benefits them and also her back up for the HR Department. This would be something great, payroll does interface with them quite a bit especially during these times.

Austin stated they pretty much have the same with their payroll department in the controller's office. This has been pushed over there for the payroll person in that office, and not necessarily having the full range of HR, but more of the payroll functions.

Stacy mentioned this request came from Storey County.

Cindy stated they are always looking for a professional growth opportunity; this is something she would have their new payroll person look into.

Stacy asked if this is something that POOL/PACT HR should support as a scholarship program. Members discussed whether to add a payroll certification to the scholarship program or to support it as an "other" certification program as already listed as an option of the scholarship application. Specially, Curtis suggested not including a specific payroll certification program, but consider payroll certifications on a case-by-case basis. It was further discussed on requiring all "other" certifications to be nationally recognized. A motion and second was made to approve adding "other" certifications to be nationally recognized.

Motion carried.

## **10. For Possible Action: HR Scholarship Application**

Stacy stated Sabrina Ludvigsen, Storey County, is asking for \$674 for the Payroll Certification; she is also applying for a PHR scholarship. Stacy stated no one has asked for two scholarships at one time before, but the Committee has approved a second and even a third one later. Stacy stated, Sabrina is requesting \$824 for the PHR and the total amount requested for both certifications is \$1,500, which is still in line with the

average scholarship, but added studying for a PHR and Payroll certification might be a lot as they only have 12 months to complete certification or refund the scholarship funds.

Geof suggested approving one certification at a time, and let her apply for the second once she has completed the first.

Abel agreed with Geof and suggested clarifying that for the future, only one program will be approved at a time; an exception could be made for somebody who has a great track record of getting a scholarship and passing them.

Chief Baker, Dee, and Curtis concurred.

Curtis asked Austin if he knows which one Sabrina would preferred to have first. Austin stated the payroll would be the primary.

Geof stated Sabrina may not meet the requirements for the PHR; Austin agreed. Dee asked if she is going for an aPHR or the PHR. Stacy answered she submitted it for the PHR.

Austin made a motion to approve Sabrina's application for the payroll certification; Abel seconded. Motion carried.

Stacy stated Vanessa Cohen, Boulder City is applying for a scholarship for the aPHR for \$690 which includes the application fee, exam fee, aPHR preparation course and materials. In addition, Hunter Bolanos, Mt. Grant General Hospital, is asking for \$1,100, which includes the application/exam fees and prep course, and \$250 for test insurance, and \$100 for two practice exams. Stacy stated that in the past, the committee has not approved funds to cover test insurance and practice exams.

Abel stated he thinks it would be fair for whoever is taking the test that they choose to pay for the test insurance. Geof asked what does the insurance test cover. Abel answered that if you fail, you get to have the opportunity to retake it without paying the full price.

Curtis stated that we are pretty generous in giving out these scholarships and thinks it is imperative upon the applicants to be prepared to take the risk of not passing the test because if they do not put in the work they may not pass the test. He does not think we need to pay for the test insurance, and stated he is not in favor of test insurance and some of those other add-ons sound a little questionable. He stated he thinks a typical scholarship for that exam would be appropriate and that is about it.

Stacy mentioned typically we pay for the application/exam fees and any prep course or study materials.

Curtis stated that whatever we typically pay for is what we should do, and we should hold the line on whatever the typical expense is with regards to that type of a test.

Geof and Dee agreed.

Geof made a motion to approve the normal fees for Hunter's application, but not pay for the practice test or the test insurance. Stacy stated that would make Hunter's total \$750 and Vanessa's \$690. Jose seconded. Motion carried.

### **11. For Possible Action: HR Assessment Grant Application Approval**

Nevada Rural Housing Authority for \$500 grant.

Stacy stated this is a reassessment. It was agreed in a past meeting that reassessments would be eligible for a grant of up to half of the current rate, which is \$1,000 for the organizational grant and \$500 for an individual grant. Stacy stated the application should have come before the OSC in June as it was received in May. The application requested \$500 for hand sanitizers and the wall mounts, the cost of purchasing Virtual Private Network (VPN) licenses, and the mailing cost of care packages to staff. The application included the receipts and reasoning for the request.

Curtis stated it seems reasonable and if she qualifies for the \$250 individual, he certainly encourages a motion to that effect.

Jose asked if since this was filed pretty early on this year, if the CARES Act helped any of these costs.

Stacy stated she did not know, but it is a special district and would have had to get funds distributed from Carson City. They would not have received funds directly.

Dawn moved to approve the organizational and individual grants. Dee 2<sup>nd</sup>. Motion carried.

### **12. For Possible Action: Schedule Next Regular Meeting for POOL/PACT Human Resources Oversight Committee**

Next Meeting is scheduled for Friday, December 4, 2020, at 10:00 a.m., via Zoom (Virtual Meeting).

### **13. Item: Public Comment**

Chairman Calder opened public comment

Geof mentioned they received two letters from OSHA already about people not masking up in the workplace, stating they are not going to send someone out to investigate, but they wanted them to respond and fix it, and those both were reported by employees. Their DA office wrote a letter back saying that there is an exemption for law enforcement. The other one was another department and they will see how to respond to that one, but just be aware that employees are aware of the mandates and they are giving OSHA a call.

Curtis mentioned along those same lines, he had to deal with business and industry quite a bit over the last couple of weeks due to special events and things of that nature and stated the folks on that league committee and some of the OSHA representatives provided wrong information. He recommended everyone review Phase II guidance documents because they get revised.

Abel mentioned some employees have raised concerns that they are not able to do anything so their annual leave is accumulating and it will be well past the maximum amount per statute, so they want to know if they have the ability to extend the statutory cut off. He stated he reached out to a labor counselor to ask that, but unfortunately there is no flexibility for counties. This is unfortunate because the maximum was extended for State employees in the special session, but it was not extended to counties.

Stacy mentioned she was looking if the CDC updated their guidelines on returning to work, so it is still ten days after symptoms and three days after a fever, but they now say if you had it in the last three months, then you don't have to quarantine.

Geof stated the State still counts that second test as another positive.

Dee mentioned they had an employee who tested positive and tested positive again seven or eight days later and was not allowed to return to work for another 14 days.

Geof stated they are no longer having employees retest.

Dee stated this employee did it on his own.

Stacy mentioned that other entities had that same problem though the CDC does not recommend getting a negative test to return to work. There have been some employees upset that the employer is not requiring that negative tests, which is presenting problems for employers as well.

Curtis asked if there are any other further public comment. Hearing none, closed the public comment period.

#### **14. For Possible Action: Adjournment**

Chairman Calder called the meeting adjourned at 11:32 a.m.